

The actions delineated below were taken in open session of the EPSB at the August 21, 2006, regular meeting. This information is provided in summary form; an official record of the meeting is available on tape in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3rd Floor, Frankfort, KY 40601.

**Education Professional Standards Board (EPSB)
Summary Minutes of the Business Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky
August 21, 2006**

Members Present:

Lonnie Anderson
Jim Applegate
Wally Campbell
James Cibulka
Lydia Coffey
Kristin Gregory
Kent Juett
Steve Lin
Rita Presley
Steve Schenck (for Gene Wilhoit)
Zenaida Smith
Wilson Stone
Tom Stull
Lorraine Williams

Members Absent:

Sam Evans
Linda Livers

Call to Order

Chair Tom Stull convened the meeting at 9:05 am EST.

Amendment to Agenda

Motion made by Mr. Wilson Stone, seconded by Ms. Kristin Gregory, to amend the August 21, 2006 agenda to add Action Item F. Amendments to KAR 7:020 Kentucky Principal Internship Program, Final Action, Action Item G. KTIP Appeals, and Action Item H. Approval of the Job Description for the Deputy Executive Director.

Vote: *Unanimous*

Approval of June 12, 2006, Minutes

Motion made by Ms. Lydia Coffey, seconded by Mr. Kent Juett, to approve the minutes of the June 12, 2006 EPSB meeting.

Vote: *Unanimous*

Open Speak

There were no requests for open speak.

Report of the Executive Director

Dr. Rogers announced that Secretary Fox will be retiring on September 1, 2006. Ms. Laura Owens has been named the new Secretary of the Education Cabinet, having formerly served as the Deputy Secretary for the Education Cabinet.

KDE Update

Mr. Steve Schenck, sitting in for Commissioner Gene Wilhoit, Kentucky Department of Education (KDE), updated the Board. KDE is responding to CATS test scores. The Commissioner had his evaluation with the Board of Education last month, and the Board gave Commissioner Wilhoit three major goals. These goals are: 1) To address low performance schools 2) To redesign high schools 3) To improve the Accountability system. With the No Child Left Behind scores, there are 43 districts that are in tier 3. This information will outline how KDE, CPE, and EPSB must work together for low performing schools, districts, and children.

CPE Update

Dr. Jim Applegate updated the Board on the Council for Post-Secondary Education's (CPE) work. CPE is working with the EPSB to implement the criteria and ideas in House Joint Resolution 14 pertaining to the redesign of leadership in the state. Dr. Applegate stated that the CPE is excited about being able to work with the EPSB and all sectors. CPE has implemented a Regional Stewardship program, the first of its kind in the country, and received 4.8 million dollars in funding for regional universities. Regional advisory boards were created and an agenda was developed for addressing the key needs of each region in order to identify the appropriate partnership role for universities. A two-day workshop on Regional Stewardship was held in July. Every region had a priority revolving around K-12 education improvement performance and K-12 education teacher preparation and principal development. Dr. Applegate responded that CPE believes the Regional Stewardship program will be a very valuable program and the first in the nation where the state provided public funding for community and regional engagement.

A Trusteeship Conference will take place on September 17 and 18 in Cincinnati. Representatives of the U.S. Department of Education and the National Center for Public Policy in Education will be attending, as well as legislators. This conference will provide an opportunity for professional development for members of boards in all university regions and for board members to understand issues being addressed at the state level.

CPE has convened a Developmental Education Task Force. Chairman Moberly and Senator Westwood are on this task force consisting of university presidents. The Developmental Education Task Force is responding to a series of studies that indicate many individuals are entering college unprepared and that universities are doing a poor job retaining unprepared students. The task force plans to address how to improve performance in post-secondary education and set a goal to double the number of bachelor's degree holders in Kentucky by 2020 by recruiting more students into college. CPE is looking forward to recommendations from the Task Force in December and may include universities partnering with adult educators and teachers in an effort to reduce the number of under-prepared students coming to college.

CPE administered the Improving Educator Quality Program (a Title II program). The request for proposal (RFP) has been released. Bids for the RFP are due by October 2. This is a federally funded program designed to enhance teacher professional development. It prepares post-secondary institutions in high needs school districts with professional development in math, science, reading, leadership, and foreign language. There will be a conference highlighting current programs on November 13 and 14 in Lexington. A Teacher Quality

Summit to be held on October 23 and 24 will focus on responding to the demands of the expanded U.S. Department of Education curriculum.

CPE and KDE have granted \$650,000 to high schools and middle schools across the state with Project Lead the Way monies. Project Lead the Way is a national program that has demonstrated considerable success in high schools and middle schools enabling the schools to increase the quality and rigor of a curriculum that prepares students to go into engineering and stem disciplines.

New Chair

Dr. Troupe recognized Dr. Marla Banks as the new Chair at Union College.

Report of the Chair

Appointment of Committee for Teacher Standards

Mr. Stull appointed individuals to the Committee for Teacher Standards. Appointments are as follows: Anita Barnes, Sharon Brennan, Rachelle Bruno, Teresa Castle, Pam Geisselhardt, Angela Hurley, Cheryl Kolander, Nancy Newberry, Ann Robbins, Richard Roberts, Manish Sharma, Renee Scott-Smith, and Billie Travis.

Appointments to Accreditation Audit Committee (AAC)

Mr. Stull appointed the following individual to the Accreditation Audit Committee: Dr. Zella Wells replaces Mr. Frank Welch. Mr. Stull reappointed Dr. Jack Rose and Ms. Ann Walls.

Appointments to Reading Committee

Mr. Stull appointed the following individuals to the Reading Committee: Dr. Sherry Curtis replaces Ms. Carol Clouse, Dr. H.A. Hasan replaces Tim Crook, Ms. Carol Saive replaces Ms. Jewell Montgomery, Dr. Valeria Amburgey replaces Dr. Linda Olasov, Ms. Ellen Blevins, Dr. Karen Karp, and Dr. Sue Strong. Furthermore, Mr. Stull reappointed Ms. Ramona Griffin, Ms. Kristi Jenkins, and Ms. Deborah Bellamy.

Appointment to the Continuous Assessment Review Committee (CARC)

Mr. Stull appointed Dr. Ann Larson who replaces Dr. Lora Bailey to the Continuous Assessment Review Committee.

Information/Discussion Item

Report of the committee to develop a protocol for the evaluation of the Executive Director

Dr. Wally Campbell reported in Chairman Sam Evans' absence that the committee met recently and a recommendation will be submitted soon for the Board's feedback. It is anticipated that a new protocol will be developed in September.

Review of EPSB contract and memorandum of agreement proposals and modifications to existing agreements

Dr. Rogers reported to the Board that statute requires the EPSB to approve contracts prior to the Executive Director's signing them. He believes that such a review will bring the Board to a better understanding of EPSB's work. He will provide a protocol for the next Board meeting which will include a consent agenda. This protocol will go into the EPSB Procedures Manual.

Ms. Kristin Gregory suggested not including a consent agenda in the beginning of this new procedure.

Action Items

Adoption of 2006-2008 Goals and Strategies

Dr. Rogers presented to the Board the 2006-2008 Goals and Strategies that were presented to the EPSB at the June retreat. As a result, the EPSB staff has developed strategies for the measures of the goals. Once approved, the EPSB directors plan to place the strategies into tasks to ensure that the staff is being as efficient and effective as possible in addressing the goals.

Ms. Lydia Coffey responded that she felt the past goal, to maintain the efficient and effective operation of the Board, was omitted and should be included.

Ms. Kristin Gregory stated that since the Board has financial resources and financial oversight responsibilities, the EPSB should see a proposed and final budget in order to evaluate the Executive Director which was in place with previous goals of the EPSB. Ms. Gregory asked Dr. Campbell if the new proposed protocol for the Executive Director's evaluation includes evaluating him on these Goals and Strategies. Dr. Campbell explained that the Executive Director will be evaluated on the EPSB goals as well as the responsibilities and duties of the Executive Director. Dr. Cibulka asked Dr. Rogers when the EPSB would have an opportunity to review the progress in the strategies. Dr. Rogers advised that this is typically done in the annual retreat when the goals are brought before the EPSB.

Ms. Coffey stated that she has concerns with Goal 4 which ties student achievement into teacher evaluation since student achievement is not always under a teacher's control. Dr. Applegate responded that he believes this is an accountability goal for the quality in the induction into professional development programs. Ms. Zenaida Smith believes that the Board may wish to view the conditions that teachers are working in before moving forward. Dr. Applegate responded that he believes that Goal 4 is crucial from the CPE perspective and is about focusing on how well preparation programs are doing in preparing teachers to meet the challenges they face when they enter the field. Mr. Stull agreed with Dr. Applegate that it is important to adopt this goal.

Dr. Cibulka asked how the Board will evaluate the implementation of these goals. He felt the EPSB retreat does not provide a forum to evaluate these goals and how the EPSB is progressing with these goals. He suggested restructuring the EPSB retreat or finding another venue to look at these goals. He believes the EPSB needs to focus on performance and outcomes.

2006-062

Motion made by Ms. Lydia Coffey, seconded by Ms. Zenaida Smith, not to adopt the 2006-2008

Goals and Strategies as presented. The Board would like to add a goal addressing the need to maintain the efficient and effective operation of the Board. This goal has been a part of the EPSB goals in the past. Dr. Rogers asked for feedback on changes he will submit to the Board electronically to expedite the process.

Vote: *Unanimous*

Program Approvals for Kentucky Christian University

2006-063

Motion made by Ms. Lydia Coffey, seconded by Dr. Wally Campbell, to approve the proposed Educator Preparation Program additions for Kentucky Christian University.

Vote: *Unanimous*

2006-2007 National Board for Professional Teaching Standards (NBPTS) Mentoring Service

Mr. Brown reported that each year the EPSB submits an RFP for mentoring services across the state. He referred to the attached responses received by agencies that wish to provide mentoring services. Mr. Brown stated that there are currently 365 candidates for this year. Mr. Wilson asked if EPSB staff know how many projected candidates will remain in the mentoring program. Mr. Brown responded that with the current number of candidates, the EPSB is \$25,000.00 over budget. Judging from past experiences, however, there are always individuals who drop out of the program. Ms. Gregory asked how the EPSB would respond to a situation if no candidates dropped out the program and the budget is \$25,000.00 short. Mr. Brown responded that the EPSB staff monitors the budget and would then bring the NBPTS contract before the Board to limit the number of candidates. Fortunately, the EPSB staff has never had to do this in the past because there have always been candidates to drop out. Ms. Coffey questioned what the EPSB would do if no candidates drop out. Mr. Brown responded that EPSB staff would bring the NBPTS contract to the Board and have the Board limit the number of candidates. Dr. Rogers further responded that the EPSB has money left in the Incentive Trust Fund for this purpose. There is about \$130,000 in this fund that may be used for this purpose. Mr. Brown stated that there is also the option of reducing the stipends to substitute teachers if no candidates drop out.

2006-064

Motion made by Dr. Cibulka, seconded by Mr. Anderson, to approve the proposed contracts for the NBPTS Mentoring Programs.

Vote: *Unanimous*

KTIP Appeals

Mr. Brown reported that there were 29 unsuccessful interns this year. Eight of these individuals submitted an appeal. The appeals committee convened on July 17-18 and August 8. Documentation was provided by the intern and local districts to review. The appeals committee has three choices: 1) To uphold the committee's decision of unsuccessful 2) Deem that the committee has made errors and make the intern *successful* 3) If there were specific procedural errors of the committee that make it evident that the intern was unsuccessful but there was not enough evidence based upon the reports that the intern was unsuccessful, the internship can be nullified and the intern can have two more years for induction into the program. Ms. Sneed was the appointed representative from Dr. Rogers who sat on the committee.

Ms. Sneed informed the Board that the KTIP Appeals committee has all of the documentation from the internship, including the recording instruments, portfolio, and/or Teacher Work Sample as well as the appeal from the intern which is usually a letter. The appeal reason was summarized for the Board. Sometimes the reason the intern is appealing is not necessarily the reason the committee would determine the intern as unsuccessful. Some documentation may be provided by the internship committee in response to the intern's appeal.

Elizabeth Goheen: The committee recommended to the Board to overturn the decision of *unsuccessful* because the Teacher Work Sample did provide evidence that the intern met the two standards that had previously been deemed unsuccessful. Mr. Stone asked if response was received from the beginning teacher committee. Ms. Sneed stated that the EPSB procedures do not allow the Beginning Teacher Committees to respond to the appeals committee recommendations. The KTIP Appeals Committee notifies the intern of the Beginning Teacher Committee decision and the intern has 30 days to appeal the Beginning Teachers Committee's decision. Once the KTIP Appeals Committee receives an appeal, the Beginning Teacher Committee is notified that the intern has appealed and supplied a copy of that appeal. The Beginning Teacher Committee then has 15 days to provide documentation. If the Board decided to choose to uphold the *unsuccessful* in any cases, the intern has a chance to appeal the decision to a 13B hearing just like in disciplinary cases.

Ms. Sneed stated that the Appeals Committee often finds that the Beginning Teacher Committees are not documenting well or not using the correct forms. In Ms. Goheen's case, the KTIP Appeals Committee recommends the Board have the intern retrained. Ms. Rita Presley asked if there could be a method of checks and balances for the forms completed. Ms. Sneed stated that unfortunately only two staff members are dedicated to KTIP at the EPSB and they are overworked. There has been discussion of implementing audit procedures to determine the cause of the problems. Ms. Sneed has spoken to the trainers of the Beginning Teacher Committee members and informed them of the problems and how to fix the problems. TPA trainers recently came to the EPSB and asked why the KTIP Appeals Committee may overturn a decision of the Beginning Teacher's Committee. Ms. Presley stated that in her experience as a resource teacher, a form packet is received, and she inquired as to whether the Beginning Teacher Committee is using the training packet rather than what is received in the mail. Mr. Brown responded that the EPSB receives the correct forms from the individuals in the mail. Mr. Stone stated that he hopes the KTIP Appeals Committee is not recommending interns to pass because forms are incomplete or are not prepared correctly. Ms. Sneed responded that in this particular instance the intern was able to provide significant evidence in the Teacher Performance Assessment that she did meet the standards. The KTIP Appeals Committee does not recommend to the EPSB to give a teacher a certificate if it is not deserved. This past year there were 3100 successful interns and 30 unsuccessful interns. Ms. Sneed asked the Board to consider the KTIP Appeals Committee recommendation to consider that this particular Beginning Teacher Committee be retrained.

2006-065

Motion made by Mr. Kent Juett, seconded by Ms. Kristin Gregory, to approve the KITP Appeals Committee decision for Ms. Elizabeth Goheen and to include retraining of the Beginning Teacher Committee.

Vote: *Unanimous*

2006-066

Mr. Brian McMonigle: *Mr. Stull would like to see that the resource teacher receives a statement*

of her mistakes. A motion was made by Ms. Lydia Coffey, seconded by Ms. Zenaida Smith, to approve the KTIP Appeals recommendation and require retraining of committee members.

Vote: *Unanimous*

2006-067

Ashley Bratcher: A motion was made by Ms. Lydia Coffey, seconded by Ms. Kristin Gregory, to approve the recommendation of the KTIP Appeals Committee.

Vote: *Unanimous*

2006-068

Steven Dennis: Motion made by Mr. Lonnie Anderson, seconded by Dr. Jim Cibulka, to approve the decision of the KTIP Appeals Committee.

Vote: *Unanimous*

2006-069

Megan Bramel: Motion made by Mr. Steve Lin, seconded by Mr. Wilson Stone, was to approve the recommendation of the KTIP Appeals Committee.

Vote: *Unanimous*

2006-070

Mr. Richard Goodman: Motion made by Ms. Coffey, seconded by Mr. Stone to approve the recommendation of the KTIP Appeals Committee.

Vote: *Unanimous*

2006-071

Ms. Karen Edwards: Motion made by Ms. Coffey, seconded by Ms. Presley, to approve the recommendation of the KTIP Appeals Committee.

Vote: *Unanimous*

2006-072

InRae Vollmer: Motion made by Ms. Kristin Gregory, seconded by Dr. Cibulka, to approve the recommendation of the KTIP Appeals Committee.

Vote: *Unanimous*

Chairman Stull introduced Ms. Diane Fleming from the Attorney General's office who is serving as the EPSB's Board counsel.

2006-07 Emergency Non-Certified School Personnel Program

2006-073

Motion made by Mr. Wilson Stone, seconded by Ms. Kristin Gregory, to accept the staff recommendations for reinstatement into this program for 2006-07.

Vote: *Unanimous*

Amendments to KAR 7:020 Kentucky Principal Internship Program, Final Action

This regulation has been brought before the EPSB before; however, a sentence was inadvertently added as a part of the KTIP program and should not be included for KPIP which stated 20 hours of in-class observation time. In addition, some changes were made to the forms which will be incorporated by reference.

2006-074

Motion made by Dr. Wally Campbell, seconded by Mr. Lonnie Anderson to approve the staff recommendations.

Vote: *Unanimous*

Approval of the Job Description for the Deputy Executive Director

Dr. Rogers reported that the Deputy Executive Director job description was sent to the EPSB. His plan is to get this position in the *Courier Journal* and *Lexington Herald Leader* if approved today, and he anticipates hiring an individual by October 16. Dr. Cibulka stated that he believes a bachelor's degree is a very minimal requirement and asked that this individual hold more than a bachelor's degree. Dr. Rogers stated that he would make the change to include that the candidate have a master's degree or equivalent. Ms. Presley asked if it will be difficult to find someone with experience in eMARS. Dr. Rogers responded that since eMARS is fairly new, it would be difficult. Discussion ensued. It was decided to use the language in the job posting that the ideal preferred candidate shall have at least 5 years leadership in the proficient use of an electronic budget procurement system.

2006-075

Motion made by Mr. Steve Lin, seconded by Dr. James Cibulka, to approve the job description of the Deputy Executive Director with noted modifications.

Vote: *Unanimous*

Waivers

Ms. Jessica Elam – Waiver of 16 KAR 6:010, Request to waive Praxis II Special Education: Teaching Students with Behavioral Disorders/Emotional Disturbances (0371)

2006-076

Motion made by Dr. Cibulka, seconded by Ms. Kristin Gregory, to waive the Special Education: Teaching Students with Behavioral Disorders/Emotional Disturbances (0371) and accept Special Education: Teaching Students with Learning Disabilities (0381) in lieu thereof.

Vote: *Unanimous*

Ms. Christine Moskwa - Waiver of 16 KAR 6:010, Request to waive Praxis II Principles of Learning & Teaching: Grades K-6 (0522) and Elementary Education: Core Content Knowledge (0014)

2006-077

Motion made by Mr. Stone, seconded by Ms. Coffey, to waive the Praxis II Elementary Education: Core Content Knowledge (0014) and accept the CBEST and CSET 101, 102, and 103 in lieu thereof, but do not waive Principals of Learning and Teaching (0522) and do not accept CBEST and CSET 101, 102, and 103 in lieu thereof.

Vote: *Unanimous*

Ms. Kimberly Potters – Waiver of 16 KAR 6:010, Request to waive Praxis II Principles of Learning and Teaching Grades 8-12 (0524), Mathematics: Content Knowledge (0061), and Mathematics: Proofs, Models, and Problems Part 1 (0063)

2006-078

Motion made by Ms. Coffey, seconded by Ms. Zenaida Smith, to waive the Principles of Learning and Teaching Grades 8-12 (0524) and the Mathematics: Content Knowledge (0061), and accept the New Mexico Assessment of Teacher Competency and the New Mexico Content Knowledge Assessment of Mathematics in lieu thereof, but do not waive Mathematics: Proofs, Models and Problems, Part 1 (0063), and do not accept the New Mexico Content Knowledge Assessment of Mathematics in lieu thereof.

Vote: *Unanimous*

Ms. Courtney Moore – Waiver of 16 KAR 6:010, Request to waive Praxis II Special Education: Teaching Students with Behavioral Disorders/Emotional Disturbances (0371)

2006-079

Motion made by Dr. Wally Campbell, seconded by Ms. Coffey, to waive the Special Education: Teaching Students with Behavioral Disorders/Emotional Disturbances (0371) and accept Education of Exceptional Students: Learning Disabilities (0382) in lieu thereof.

Vote: *Unanimous*

Ms. Jackie Arnold – Waiver of 16 KAR 6:010, Request to waive Praxis II Principles of Learning & Teaching: Grades 7-12 (0524), Social Studies: Content Knowledge (0081) and Social Studies: Interpretation of Materials (0083)

2006-080

Motion made by Ms. Rita Presley, seconded by Mr. Stone, to waive the Social Studies: Content Knowledge (0081) and accept the New York Teacher Certification Examination Field 05: Social Studies in lieu thereof, but do not waive the Principles of Learning & Teaching (0524) and the Social Studies: Interpretation of Materials (0083) and do not accept the New York State Assessment of Teaching Skills-Written (ATS_W) Secondary and the New York Liberal Arts and Sciences Test (LAST) in lieu thereof.

Vote: *Unanimous*

Mr. Michael Williams – Waiver of 16 KAR 2:010, Request for Extension to Complete Master's Degree

2006-081

Motion made by Ms. Kristin Gregory, seconded by Mr. Anderson, to approve the waiver request.

Vote: *Unanimous*

Alternative Route to Certification Applications

Mr. John W. Fleming, Chemistry, Grades 8 -12

2006-082

Motion made by Ms. Gregory, seconded by Dr. Cibulka, to approve the alternative route to certification application.

Vote: *Unanimous*

Ms. Natalie E. Hall, Instrumental Music, Grades P-12

2006-083

Motion made by Dr. Campbell, seconded by Ms. Smith, to approve the alternative route to certification application.

Vote: *Unanimous*

Ms. Michele L. Miller, Business, Grades 5-12

2006-084

Motion made by Ms. Gregory, seconded by Mr. Kent Juett, to approve the alternative route to certification application.

Vote: *Unanimous*

Ms. Teresa O. Young, Business, Grades 5-12

2006-085

Motion made by Dr. Cibulka, seconded by Ms. Coffey, to approve the alternative route to certification application.

Vote: *Unanimous*

Ms. Bonnie M. Charles, Art, Grades P-12

2006-086

Motion made by Ms. Kristin Gregory, seconded by Mr. Steven Lin, to approve the alternative route to certification application.

Vote: *Unanimous*

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
August 21, 2006**

Motion made by Mr. Lonnie Anderson, seconded by Mr. Kent Juett, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.810(c)&(j).

Vote: *Unanimous*

Motion made by Ms. Lydia Coffey, seconded by Dr. Jim Cibulka, to return to open session.

Vote: *Unanimous*

The following board members concurred with the actions as listed below with the noted exceptions:

Tom Stull, James Cibulka, Steve Lin, Kent Juett, Lonnie Anderson, Lydia Coffey, Wally Campbell, Wilson Stone, Kristin Gregory, and Rita Presley.

Attorneys present were Alicia A. Sneed, Diane Fleming, and Gary Stephens.

INITIAL CASE REVIEW

<u>Case Number</u>	<u>Decision</u>
06-05104	Hear
06-0489	Hear
06-05117	Hear
06-05110	Hear
06-05103	Hear
06-05116	Hear
06-0495	Admonish
06-0498	Hear
06-05149	Hear
06-0497	Admonish

06-05156	Hear (<i>Dr. Campbell, recused</i>)
06-0494	Admonish
06-07192	Admonish (<i>Mr. Stull, recused</i>)
06-04100	Hear
06-0493	Admonish
06-0499	Admonish
06-0496	Admonish
06-05155	Hear (<i>Mr. Stull, recused</i>)
06-0372	Hear
06-0357	Hear
06-05118	Hear
06-05105	Hear
06-0353	Hear
06-05112	Hear
06-05102	Hear (<i>Mr. Juett, recused</i>)
06-0344	Admonish
06-0370	Admonish
06-05120	Dismiss Without Prejudice
06-05119	Hear
06-05107	Hear
06-05108	Defer
06-0367	Hear
06-05115	Hear
06-05136	Hear
06-0475	Admonish
06-05109	Hear
06-05148	Hear
06-0480	Admonish
06-05101	Hear
06-05121	Hear
06-0369	Hear
06-0482	Hear
06-07197	Defer
06-06173	Hear
06-05111	Hear
06-0488	Hear
06-0490	Hear
06-05113	Dismiss
06-05134	Dismiss
06-05114	Admonish
06-05129	Hear
06-05130	Hear

Character/Fitness Review

Case Number

Decision

06-108	Approve
06-109	Approve
06-111	Approve
06-113	Approve
06-114	Approve
06-115	Approve
06-116	Approve
06-117	Approve
06-118	Approve
06-119	Approve
06-120	Approve
06-095	Approve
06-121	Approve
06-122	Approve
06-124	Approve
06-112	Approve
06-125	Approve
06-127	Approve
06-123	Approve
06-102	Approve
06-129	Approve
06-130	Approve
06-131	Approve
06-126	Defer
06-128	Approve
06-136	Approve
06-137	Approve
06-138	Approve
06-139	Approve
06-142	Approve
06-143	Approve
06-144	Approve
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06-132	Approve
06-141	Approve
06-160	Approve
06-140	Approve
06-163	Approve
06-164	Approve
06-165	Approve
06-168	Approve
06-169	Approve
06-133	Approve
06-166	Approve
06-093	Approve
06-134	Approve
06-170	Approve
06-167	Approve
06-171	Approve
06-172	Approve
06-173	Approve

Agreed Orders

<u>Case Number</u>	<u>Decision</u>
05-10181 (Kyle Tackett)	<p>Accept Agreed Order permanently revoking Respondent's certificate. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky at any time in the future.</p> <p>Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.</p> <p>Vote: <i>Unanimous (Dr. Campbell, recused)</i></p>
05-05105 (Margo Lewis)	<p>Accept Agreed Order revoking Respondent's certificate for a period of ten (10) years from the date of acceptance of this order. Respondent will neither seek, apply, nor be issued her certificate for a period of ten (10) years from the date of acceptance of this Agreed Order by the Board. Respondent shall surrender the original and all copies of her certificate to the EPSB, by delivering</p>

or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

06-0115 (Joseph Huff)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board notes that Respondent has a history of emotional outbursts and unprofessional behavior. The Board reminds Respondent that he has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. An educator should not show his or her displeasure about situations by throwing temper tantrums in front of students. Additionally, an educator should never require students to participate in a decision to resign or use resignation as a form of emotional blackmail with students. The Board will not tolerate any further incidents of misconduct from Respondent.

This settlement agreement is expressly conditioned upon Respondent providing written proof to the Board that he has received twelve (12) hours of professional development/training in anger management and appropriate classroom management, as approved by the Board, no later than December 31, 2006. Any expense incurred for said training shall be paid by Respondent.

Should Respondent fail to satisfy this condition, this Agreed Order shall be deemed null and void and disciplinary action reinstated.

Vote: *Unanimous (W. Stone, recused)*

05-08150 (Andrew Jackson)

Accept Agreed Order permanently revoking Respondent's emergency certificate. Respondent shall neither seek, reapply, nor be issued a Kentucky Teaching Certificate in his lifetime. Respondent shall surrender the original and all copies of his emergency certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

05-08141 (Cheryl Hall)

Accept Agreed Order admonishing Respondent for lying under oath. As a professional educator, Respondent is a role model both to her students and her community. Respondent must not only uphold the laws of this Commonwealth, but conduct herself with dignity and integrity at all times.

This settlement agreement is expressly conditioned upon Respondent submitting written proof to the Board, on or before January 1, 2007, that she has met the following conditions.

1. Respondent shall successfully complete and be released from her Pretrial Diversion Agreement.
2. Respondent shall complete twelve hours of professional development/training, approved by the Board, in the area of professional ethics. Any cost for said training shall be paid by Respondent.

Should Respondent fail to satisfy either of these conditions, her certificate shall be automatically suspended until the Board is satisfied that such conditions are met.

Vote: *Unanimous*

05-08142 (Delmer Hall)

Accept Agreed Order admonishing Respondent for lying under oath. As a professional educator, Respondent is a role model both to his students and his community. Respondent must not only uphold the laws of this Commonwealth, but conduct himself with dignity and integrity at all times.

This settlement agreement is expressly conditioned upon Respondent submitting written proof to the Board, on or before January 1, 2007, that he has met the following conditions.

1. Respondent shall successfully complete and be released from his Pretrial Diversion Agreement.
2. Respondent shall complete twelve hours of professional development/training, approved by the Board, in the area of professional ethics. Any cost for said training shall be paid by Respondent.

Should Respondent fail to satisfy either of these conditions, his certificate shall be automatically suspended until the Board is satisfied that such conditions are met.

Vote: *Unanimous*

05-08139 (Jerri Turner)

Accept Agreed Order admonishing Respondent for lying under oath. As a professional educator, Respondent is a role model both to her students and her community. Respondent must not only uphold the laws of this Commonwealth, but conduct herself with dignity and integrity at all times.

This settlement agreement is expressly conditioned upon Respondent submitting written proof to the Board, on or before January 1, 2007, that she has met the following conditions.

1. Respondent shall successfully complete and be released from her Pretrial Diversion Agreement.
2. Respondent shall complete twelve hours of professional development/training, approved by the Board, in the area of professional ethics. Any cost for said training shall be paid by Respondent.

Should Respondent fail to satisfy either of these conditions, her certificate shall be automatically suspended until the Board is satisfied that such conditions are met.

Vote: *Unanimous*

05-08140 (Melissa Turner)

Accept Agreed Order admonishing Respondent for lying under oath. As a professional educator, Respondent is a role model both to her students and her community. Respondent must not only uphold the laws of this Commonwealth, but conduct herself with dignity and integrity at all times.

This settlement agreement is expressly conditioned upon Respondent submitting written proof to the Board, on or before January 1, 2007, that she has met the following conditions.

1. Respondent shall successfully complete and be released from her Pretrial Diversion Agreement.
2. Respondent shall complete twelve hours of professional development/training, approved by the Board, in the area of professional ethics. Any cost for said training shall be paid by Respondent.

Should Respondent fail to satisfy either of these conditions, her certificate shall be automatically

suspended until the Board is satisfied that such conditions are met.

Vote: *Unanimous*

05-0112 (Alan D. Davis) Accept Agreed Order suspending Respondent's emergency certificate for the 2005-2006 school year. Respondent will not seek employment in the Commonwealth of Kentucky for the 2005-2006 school year. In addition, Respondent will complete twelve (12) hours of professional development in the area of anger management in the state of Wisconsin as approved by the Board. Any expense for said training will be paid by Respondent. Respondent will not accept employment in the Commonwealth of Kentucky until he provides proof to the Board that he has completed the required training.

Vote: *Unanimous*

05-09168 (Kimberly Lester) Accept Agreed Order suspending Respondent's certificate for a period of forty-five (45) days beginning September 23, 2005 until November 5, 2005. Respondent shall surrender the original and all copies of her certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. Respondent is further admonished regarding her conduct at the Biker Convention that led to the publication of the inappropriate photographs while attending that function. Her conduct illustrates conduct unbecoming of a teacher and violates the Kentucky Code of Ethics for Kentucky School Certified Personnel. No further misconduct of this nature will be tolerated by the Board.

Vote: *Unanimous*

04-0332 (Fredericka Hargis) Accept Agreed Order revoking Respondent's Professional Certificate for Instructional Leadership – School Superintendent. Respondent shall neither apply for, nor be issued a Superintendent certificate in the Commonwealth of Kentucky for a period of five (5) years, retroactive to July 8, 2004.

In addition, Respondent's Professional Certificate for Instructional Leadership – Early Elementary School Principal, Grades K-4; Level II, Professional Certificate for Instructional Leadership – Supervisor of Instruction, Grades K-12; Level II, and her Teaching Certificate, including any and all current or future endorsements or areas of certification, shall be subject to the following probationary conditions for a period of three (3) years from the date of acceptance of this Order by the Board.

1. Respondent shall not have any more criminal convictions. She shall submit an official report of her state and federal criminal history to the Board prior to January 1, 2007 and January 1, 2009. Any expense for the criminal history shall be paid by Respondent.
2. Respondent shall submit written evidence of her completion of twelve (12) hours of professional development/training in the area of ethics as approved by the Board by January 1, 2008. Any expense for said training shall be paid by Respondent.
3. Respondent shall submit written evidence of her completion of a minimum six (6) hour professional development/training course in professionalism as approved by the Board by September 1, 2007. Any expense for said training shall be paid by Respondent.
4. Respondent shall submit proof by June 30 of each year of the three (3) year probationary period that she has completed in addition to the twenty-one (21) participant hours of instructional leadership training required by KRS 156.101(4)(b)2, six (6) hours of instructional leadership training approved by the Kentucky Board of Education in the areas of interpersonal relationships, Site-Based Decision Making Council laws, responding to supervision, and/or community relations for a total of twenty-seven (27) hours of instructional leadership training per year of the probationary period.
5. In addition to the educational and legal requirements at the time of application, re-issuance of Respondent's School Superintendent

certificate at the conclusion of the five (5) year revocation period is expressly conditioned upon Respondent complying with all of the probationary conditions required at the time of re-application.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy any of these conditions, her certificate, including all areas of certification and endorsements shall be automatically revoked for a period of three (3) years. If Respondent violates these conditions prior to the reinstatement of her Professional Certificate for Instructional Leadership – School Superintendent, that certificate shall remain revoked for the original five (5) year revocation period, in addition her Professional Certificate for Instructional Leadership shall remain revoked until the conclusion of the additional three (3) year period of revocation if that period is longer than the original five (5) year period of revocation. If Respondent violates the above numerated conditions after reinstatement of her Professional Certificate for Instructional Leadership – School Superintendent, that certification shall be revoked for an additional three (3) years. At the conclusion of the three (3) year revocation period, her certificate shall not be reinstated until she submits a current state and federal criminal history and provides proof that she has completed the required training in conditions 2, 3, and 4.

Respondent is aware that should she violate KRS 161.120, either during or following this three (3) year probationary period, the Board shall initiate a new disciplinary action and seek additional sanctions.

Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. Failure to do so shall result in further disciplinary action by the Board.

Vote: *Unanimous*

06-0351 (Daniel Jones)

Accept Agreed Order permanently revoking Respondent's certificate. Respondent shall neither

apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future.

Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

06-0352 (Derek Walcott)

Accept Agreed Order permanently revoking Respondent's certificate. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future.

Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

05-08152 (Tamma Gilley)

Accept Agreed Order suspending Respondent's certificate for a period of one year beginning July 31, 2006. Respondent shall surrender the original and all copies of her certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Reinstatement of Respondent's certificate is expressly conditioned on the following:

1. Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as approved by the Board and shall present written evidence to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent.
2. Respondent shall provide written evidence to the Board that she is fit to return to the classroom and/or no longer meets the requirements for disability retirement benefits.

Any expense incurred to obtain this written evidence shall be paid by Respondent.

If Respondent fails to satisfy these conditions, her certificate shall remain suspended until such time as all conditions are met.

Vote: *Unanimous*

05-0123 (Brandon Bateman) Accept Agreed Order admonishing Respondent for his failure to exercise prudent judgment in an altercation with a student. As a professional educator, Respondent must, at all times, treat each student with respect and demonstrate care for his or her health, welfare, and safety.

This settlement agreement is expressly conditioned upon Respondent providing, on or before August 1, 2007, written evidence to the Board that he has completed both an anger management assessment and any and all recommended treatment by a provider approved by the Board. Any expense for said assessment and/or treatment shall be paid by Respondent. Should Respondent fail to satisfy this condition, his certificate shall be suspended until such time as the condition is met.

Vote: *Unanimous*

06-0230 (Greta Howard) Accept Agreed Order admonishing Respondent for providing inappropriate assistance to students during CATS testing. Respondent's conduct violates the dignity and integrity of the profession and the Board will tolerate no further misconduct of this nature from Respondent. In addition, Respondent will obtain twelve (12) hours of professional development in the area of ethics training. Respondent will also attend Appropriate Assessment Practices and Inclusion Training as required by the Kentucky Department of Education. Failure to comply with the training requirements by June 30, 2007 will result in an automatic suspension of Respondent's teaching certificate and it will remain suspended until she completes the training requirements contained in this Agreed Order. All expenses for the training will be borne by Respondent.

Vote: *Unanimous*

04-0564 (Michelle Janow) Accept Agreed Order suspending Respondent's certificate for a period of three months from the date of the entry of this order by the Board. Respondent shall surrender the original and all copies of her certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

05-11211 (Susan Wilson) Accept Agreed Order suspending Respondent's certificate for a period of five (5) days from the date this agreement is accepted by the Board.
Upon reinstatement after the five (5) day suspension period, Respondent's certificate and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of one (1) year.

1. By December 31, 2006, Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as approved by the Board and shall present written evidence to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations. If Respondent is not able to complete all treatment recommendations by December 31, 2006, she shall submit quarterly written progress reports from her chemical dependency counselor until such time as the counselor releases her from treatments. If Respondent has not successfully completed all treatment requirements by the end of the two year probationary period, Respondent agrees that the probationary period shall be extended and she shall submit quarterly written progress reports from the chemical dependency to the Board until such time as the counselor releases her from treatment. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent.
2. By June 30, 2007, Respondent shall provide written evidence to the Board that she has successfully completed a course in anger management, as approved by the Board. Any

expense for this course shall be paid by Respondent.

3. By June 30, 2007, Respondent shall provide written proof to the Board that she has received twelve (12) hours of professional development/training in ethics which includes a component of diversity training, as approved by the Board. Any expense for this professional development/training in ethics shall be paid by Respondent.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy any of these conditions, her certificate shall be automatically suspended for a period of six (6) months. If applicable, at the conclusion of the six (6) month suspension period, her certificate shall remain suspended until such time as all the above conditions are met.

Respondent is aware that should she violate KRS 161.120, either during or following this two year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Furthermore, Respondent is admonished for her behavior at a school related event. As a certified educator, Respondent must strive to uphold the dignity and integrity of her profession. She must be continually aware of her position as a positive role model to both her students and community.

Upon acceptance of this agreement by the Board, Respondent or her attorney shall immediately surrender the original and all copies of her certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. Failure to do so shall result in further disciplinary action by the Board.

Vote: *Unanimous*

Findings of Fact, Conclusions of Law and Recommended Orders

Consideration of the following matter took place with attorneys Alicia A. Sneed and Gary Stephens out of the room.

Case Number

04-08109 (Judd Tabor)

Decision

Adopt the Hearing Officer's Findings of Fact and

Conclusions of Law, Modify the Hearing Officer's Recommended Order of Default and issue a Final Order permanently revoking Respondent's certificate.

Vote: Unanimous

Motion made by Mr. Anderson, seconded by Mr. Stone, to amend the agenda to discuss an RFP for a conflict attorney to be used on an as needed basis.

Vote: *Unanimous*

2006-087

Motion made by Mr. Anderson, seconded by Dr. Cibulka, to accept the proposed RFP for a conflict attorney to be used on an as needed basis.

Vote: *Unanimous*

Motion made by Dr. Cibulka, seconded by Ms. Coffey, to adjourn the meeting.

Vote: *Unanimous*

The meeting adjourned at 3:40 PM.

Next Meeting: **September 25, 2006**
 9:00AM
 EPSB Board Room
 Frankfort, Kentucky